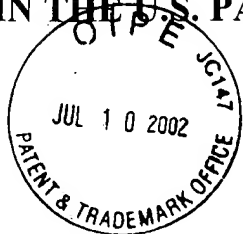


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1642
PATENTS
#16
LMS
7/25/02

IN THE U.S. PATENT AND TRADEMARK OFFICE



Docket No. 05213-0640 (43170-219680)

RECEIVED

JUL 16 2002

TECH CENTER 1600/2900

In re Application of:

O'Reilly et al.

Serial No: 09/405,499

Filed: September 23, 1999

For: ENDOSTATIN PROTEIN AND FRAGMENTS THEREOF

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Transmitted herewith is a paper in the above-identified application.

COPY OF PAPERS
ORIGINALLY FILED

- ☒ Supplemental Response to Office Action.
- ☒ Copy of Declaration by Bjorn R. Olsen, Ph.D. Under 37 C.F.R. § 1.132.
- ☒ Applicant claims small entity status.
- ☒ No additional fee is required.
- ☐ The additional fee is calculated as shown below:

| | | | | | SMALL ENTITY | | OTHER THAN SMALL ENTITY | |
|--|----------------------------------|-------|-----------------------------|---------------|--------------|------------|-------------------------|------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | RATE | ADDIT. FEE |
| TOTAL | 20 | MINUS | 22= | 0 | x9 | \$ | x18 | \$ |
| INDEP. | 2 | MINUS | 4= | 0 | x42 | \$ | x84 | \$ |
| FIRST PRESENTATION OF | | | | | | | | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS | | | | | +140 | \$ | +280 | \$ |
| TOTAL | | | | | | \$0 | \$ | |
| ADDITIONAL FEE | | | | | | \$0 | \$ | |

- ☐ A check in the amount of \$ is attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 5, 2002.

Signature

Jamie L. Greene

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
Telephone: 404/815-6500

By:

Jamie L. Greene
Jamie L. Greene, Attorney for Applicant

Reg. No. 32,467



ATTORNEY DOCKET NO. 05213-0640

#16
JMS
7/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of:)
)
Michael S. O'Reilly et al.)
)
Serial No.: **09/405,499**)
)
Filed: **September 23, 1999**)
)
For: **ENDOSTATIN PROTEIN**)
AND FRAGMENTS THEREOF)

JUL 16 2002

Art Unit: **1642**

TECH CENTER 1600/2900

Examiner: **Huff, Sheela Jitendra**

**COPY OF PAPERS
ORIGINALLY FILED**

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

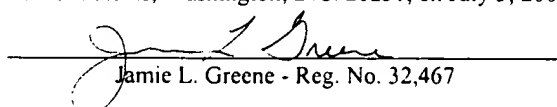
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicants respectfully provide this Supplemental Response to Office Action in further response to the Final Office Action mailed on February 1, 2002. Enclosed herewith for consideration by the Examiner is a copy of the *Declaration of Bjorn R. Olsen, Ph.D. Under 37 CFR § 1.132*, the executed original of which was filed on July 2, 2002 in related U.S. Patent Application No. 09/154,302.

Dr. Olsen, a highly distinguished expert in the art of the present application, supports applicants' position as stated in the *Response to Office Action* mailed July 1, 2002 in the present application. In view of the enclosed copy of the *Declaration of Bjorn R. Olsen, Ph.D. Under 37 CFR § 1.132* and the *Response to Office Action* mailed July 1, 2002, applicants respectfully request reconsideration of the rejected claims.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 5, 2002.

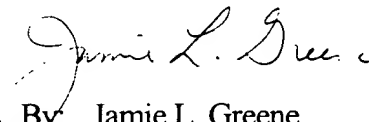

Jamie L. Greene - Reg. No. 32,467

Applicants assert that the claims are now in condition for allowance and respectfully request that the application be passed to issuance. If the Examiner believes that any informalities remain in the case which may be corrected by Examiner's amendment, or that there are any other issues which can be resolved by a telephone interview, a telephone call to the undersigned attorney at (404) 815-6500 is respectfully solicited.

No additional fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required or credit any overpayment to Deposit Account Number 11-0855.

Respectfully submitted,

KILPATRICK STOCKTON, LLP


By: Jamie L. Greene
Reg. No.: 32,467

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